

TELECOPIER COVER SHEET**November 7, 2002**

To: Assistant Commissioner for Patents	From: Estella Pineiro Patent Administrator 818/493-2251
Attention: Examiner Omar A. Khan Art Unit: 3762 TECHNOLOGY CENTER 3700	ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221
Telecopier: 703/306-4520	Telecopier: 818/362-4795
RE: Response to Restriction Requirement Applic. No. 09/858,183 Filed: 05/14/2001 Docket No. SJ1-010US	Number of pages being sent: <u>6</u> (including cover page)

FAX RECEIVED**DEC 06 2002****GROUP 3700**

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kerry Bradley et al.

Serial No.: 09/858,183

Examiner: O. Khan

Filed: 05/14/2001

Art Unit: 3762

Docket No.: SJ1-010US

For: CARDIAC STIMULATION DEVICES AND METHODS FOR
MEASURING IMPEDANCES ASSOCIATED WITH THE
LEFT SIDE OF THE HEART

TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT
AND CERTIFICATE OF MAILING

BOX AMENDMENTS - NO FEE
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Submitted herewith for filing are the following documents:

X Response to Restriction Requirement
X Transmittal of Amendment and Cert. of Mlg.
X Fee Transmittal

Respectfully submitted,

Date:

11/7/02



Derrick Reed
Reg. No. 40,138

Correspondence Address:

PACESETTER, INC.

15900 Valley View Court

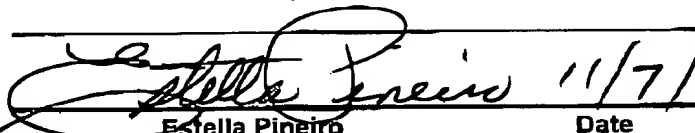
Sylmar, CA 91392-9221

818/493-2200

818/362-4795 (fax)

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark
Office on:

November 7, 2002


Estella Pineiro

Date 11/7/02

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)
0**Complete if Known**

Application Number 09/858,183

Filing Date 05/14/2001

First Named Inventor Kerry Bradley

Examiner Name O. Khan

Group Art Unit 3762

Attorney Docket No. SJ1-010US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

16-0068

PACESETTER, INC.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	x	
Multiple Dependent	-3** =	x	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)

Derrick Reed

Signature

Registration No.

40,138

(Attorney/Agent)

Complete (if applicable)

Telephone

818/493-2200

Date

11/7/02

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PATENT

#7
OL
12-1002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

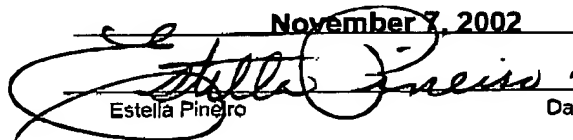
Applicant:	Kerry Bradley et al.		
Serial No.:	09/858,183	Examiner:	O. Khan
Filed:	05/14/2001	Art Unit:	3762
Docket No.:	SJ1-010US		
For:	CARDIAC STIMULATION DEVICES AND METHODS FOR MEASURING IMPEDANCES ASSOCIATED WITH THE LEFT SIDE OF THE HEART		

RESPONSE TO RESTRICTION REQUIREMENT

BOX AMENDMENTS NO FEE
Assistant Commissioner
For Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent
and Trademark Office on:

November 7, 2002


Estella Pineda Date 11/7/02

Dear Sir:

In the Restriction Requirement, mailed October 23, 2002, the Examiner has identified four distinct inventions as follows:

- Invention I, corresponding to claims 1-10;
- Invention II, corresponding to claims 11-16;
- Invention III, corresponding to claims 17-32; and
- Invention IV, corresponding to claims 33-66.

Applicants hereby elect Invention I, corresponding to claims 1-10.

The Examiner has further identified three patentably distinct species of the claimed invention as follows:

- Embodiment 1, represented by Figures 3-8;
- Embodiment 2, represented by Figures 9-15; and

Embodiment 3, represented by Figures 16-22.

Applicants elect Embodiment 2, corresponding to Figures 9-15. The claims readable upon the election are Claims 1-10.

This election is made without traverse.

Upon the allowance of a generic claim, Applicant requests consideration of the non-elected claims.

Respectfully submitted,

11/7/02

Date



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